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COMMITTEE ON SHIPPING
Working Group on International
Shipping Legislation
Twelfth session
Geneva, 22 October 1990
Agenda item 3

CHARTER PARTIES

Draft resolution submitted by Ghana on behalf of the States members of the Group of 77

The Working Group on International Shipping Legislation,

Taking note of the report of the UNCTAD secretariat in document TD/B/C.4/ISL/55,

Recalling Committee on Shipping resolutions 7(III), 49(X) and 61(XIII) of the,

1. Requests the UNCTAD secretariat, in consultation with relevant commercial organizations, to identify suitable charter party core clauses, in voyage and time charter parties, and to prepare appropriate draft clauses for the consideration of the Working Group on International Shipping Legislation at its thirteenth session;

2. Requests further the UNCTAD secretariat, in consultation with the relevant international commercial organizations, to determine the most suitable terms in time and voyage charter parties for agreed definitions and to prepare appropriate draft definitions for the consideration of the Working Group at its thirteenth session;

3. Requests also the UNCTAD secretariat to prepare draft rules specially designed for application to charter parties and to further examine whether such rules should be applied to charter parties mandatorily or by contractual incorporation. In doing so, the secretariat should particularly study the following issues:

(i) The impact of mandatory legislation if applied to voyage charter parties alone, or if applied to both voyage and time charter parties;

(ii) The impact of mandatory legislation if applied only to cargo-carrying voyages and cargo operations, or if applied to all voyages and all operations under a charter party.

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COMMITTEE ON SHIPPING
Working Group on International
Shipping Legislation
Twelfth session
Geneva, 22 October 1990
Agenda item 3

CHARTER PARTIES

Draft resolution submitted by the Netherlands
on behalf of the States members of Group B

The Working Group on International Shipping Legislation,

Recalling resolutions 7 (III), 49 (X) and 61 (XIII) of the Committee on Shipping,

Taking note of the report by the UNCTAD secretariat entitled "Charter parties - a comparative analysis (TD/B/C.4/ISL/55)" and recalling the report prepared by the UNCTAD secretariat for the fourth session of the Working Group entitled "Charter parties" (TD/B/C.4/ISL/13), as well as the request for further studies as adopted by the Working Group at its fourth session (TD/B/C.4/ISL/126 and Corr.1),

Recognising that no significant problems have been identified meriting extensive corrective actions at this time,

GE.90-50765

READEX

1. Invites the international commercial organizations dealing with charter parties:

(i) To consider if a review of charter parties appears appropriate, taking into account new trends and/or developments in chartering markets,

(ii) To promote the usage of modern charter parties;

2. Requests the UNCTAD secretariat to report to the fifteenth session of the Committee on Shipping on any identified adverse economic difficulties for developing countries arising from existing charter parties;

3. Requests further the UNCTAD secretariat, within existing resources, and in close collaboration with the international commercial organizations dealing with standardization of charter parties:

(i) To prepare an educational programme,

(ii) To produce a document describing the main features of charter parties including a listing of modern charter parties, particularly those involving shipments of main interest to developing countries e.g. grain, soya, rice, fertilisers, phosphates, ores, timber, cement, sugar, copra, livestock and oil; the terminology used in common and civil law contracts and the points to be borne in mind when negotiating such contracts.

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TRADE AND DEVELOPMENT BOARD
Committee on Shipping
Working Group on International Shipping Legislation
Twelfth session
Geneva, 22 October 1990
Agenda item 4

PROVISIONAL AGENDA AND DATE OF THE THIRTEENTH SESSION OF THE WORKING GROUP

Draft provisional agenda for the thirteenth session of the Working Group submitted by the UNCTAD secretariat

1. Election of officers
2. Adoption of the agenda and organization of work
3. General average
4. Provisional agenda and date of the fourteenth session of the Working Group
5. Other business
6. Adoption of the report of the Working Group to the Committee on Shipping.

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